



5-31-05

TFW

8/N 09/937,129

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Yamaguchi et al.	Examiner:	Savage, Matthew O
Serial No.:	09/937,129	Group Art Unit:	1724
Filed:	September 20, 2001	Docket No.:	13438.0006USWO
Title:	FILTER CARTRIDGE		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 541512161 US

Date of Deposit: May 27, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Issue Fee, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By: 

Name: David Ortiz

PETITION FOR WITHDRAWAL OF NOTICE OF ABANDONMENT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Abandonment mailed April 18, 2005, applicants respectfully request withdrawal of the holding of abandonment based on evidence that the Issue Fee was timely mailed/filed. The Issue Fee papers were submitted under 37 CFR 1.8 on November 22, 2004. In accordance with 37 CFR 1.8 (b), Applicants are; (1) Promptly filing this petition after becoming aware that the office has abandoned the application; (2) Supplying an additional copy of the previously mailed correspondence and certificate; and (3) Including a statement attesting on a personal knowledge basis to the timely mailing.

Applicants also enclose the return postcard (Exhibit A) indicating the Issue Fee papers were received by the United States Patent & Trademark Office on November 24, 2004.

Payment of the issue fee was due January 28, 2005. Applicant paid the issue fee on November 22, 2004. While the serial number, filing date, Examiner, and Attorney docket number were correct on the transmittal sheet, unfortunately, the title of the application, which was used on the applicant's transmittal, was incorrect. The incorrect title, which was used, was STRUCTURE OF PHASE SHIFTING MASK. A copy of PTOL-85 was enclosed with the issue fee payment. It had the correct title, which is FILTER CARTRIDGE. Copies of these papers are enclosed.

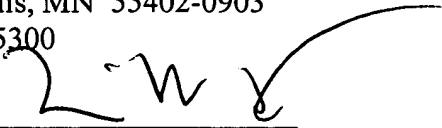
As noted above, Applicants enclose herewith a copy of the previously filed correspondence and certificate of mailing, including: a copy of check #434129 (\$6.00), copy of check #434130 (\$1,370.00), the Transmittal Sheet containing Certificate of Mailing, and the Issue Fee Transmittal Sheet Part B (PTOL-85). Applicant also encloses a statement from Ms. Antonette Peters attesting on a personal knowledge to the timely mailing.

In view of the above, applicants respectfully request the holding of abandonment be withdrawn. Any questions or concerns regarding this communication can be directed to the Brian H. Batzli at (612).336.4755.



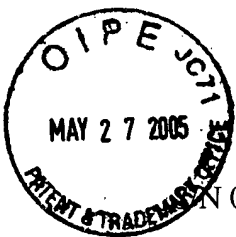
Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612)332.5300

By: 
Brian H. Batzli
Reg. No. 32,960

Dated: May 27, 2005

BHB/cjc



IN 09/937,129

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Yamaguchi et al.	Examiner:	Savage, Matthew O
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By:

Name: David Ortiz

**STATEMENT IN SUPPORT OF PETITION FOR WITHDRAWAL
OF NOTICE OF ABANDONMENT MADE BY ANTONETTE C. PETERS**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. I am the Antonette C. Peters that signed the Certificate of Mailing Under 37 CFR 1.8 on the Transmittal Sheet and the Fees Transmittal Form PTOL-85 in this matter.
2. I hereby attest on a personal knowledge basis that the attached documents were filed on the indicated date of November 22, 2004.
3. Attached hereto is a copy of the postcard stamped by the U.S. Patent and Trademark Office as receiving a copy of the attached documents on November 24, 2004.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

May 27, 2005
Date

Antonette C. Peters
Antonette C. Peters

Inventor: Yamaguchi et al.
Docket No.: 13438.0006USWO
Title: FILTER CARTRIDGE
Serial No.: 09/937,129

EXHIBIT A

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

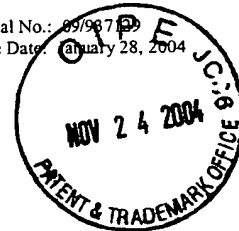
In re Application of: Yamaguchi et al.
For: STRUCTURE OF PHASE SHIFTING MASK
Docket No.: 13438.0006USWO
Filed: September 20, 2001

Serial No.: 09/937,129
Due Date: January 28, 2004

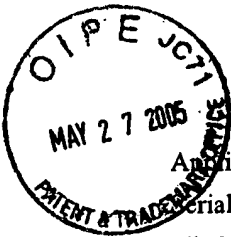
Date Mailed: November 22, 2004

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Issue Fee Transmittal Part B (PTOL - 85)
- ☒ Check(s) in the amount of \$1370 for Issue Fee, \$6 for Copy Fee
- ☒ Return postcard

Patent



CBH/acp



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Yamaguchi et al.	Examiner:	Savage, Matthew O.
Serial No.:	09/937129	Group Art Unit:	1724
Filed:	September 20, 2001	Docket:	13438.0006USWO
Confirmation No.:	6292	Notice of Allow. Date:	October 28, 2004
Due Date:	January 28, 2004		
Title:	STRUCTURE OF PHASE SHIFTING MASK		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 22, 2004.

By: 

Name: Antonette Peters

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Issue Fee Transmittal Part B (PTOL - 85)
- ☒ Check(s) in the amount of \$1370 for Issue Fee, \$6 for Copy Fee
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: 

Name: Curtis B. Hamre

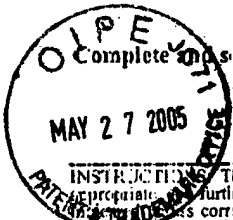
Reg. No.: 29,165

CBH/acp

Inventor: Yamaguchi et al.
Docket No.: 13438.0006USWO
Title: FILTER CARTRIDGE
Serial No.: 09/937,129

COPY OF TRANSMITTAL SHEET MAILED 11/22/04

PART B - FEE(S) TRANSMITTAL



Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(703) 746-4000

or Fax

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. Further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated below or directed otherwise in Block 1, by (a) specifying a new correspondence address and/or (b) indicating a separate "FEE ADDRESS" for the fee notifications.

CHOOSE CORRESPONDENCE ADDRESS (Block 1) for any change of address

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

23552 7550 10/28/2004

MERCHANT & GOULD P.C.
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Antonette Peters	(Depositor's name)
	(Signature)
November 22, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,129	09/29/2001	Osamu Yamaguchi et al.	13409.6USWO	6292

TITLE OF INVENTION: FILTER CARTRIDGE

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1370	\$0	\$1370	01/28/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
Savage, Matthew C	1724	210-315000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47 Rev (3-02) or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(a) the names of up to 3 registered patent attorneys or agents OR alternatively,

(b) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 3 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Merchant & Gould P.C.

2.

3.

3. ASSIGNEE NAMES AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (formal type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE (CITY and STATE OR COUNTRY)

Chisso Corporation

Osaka, Japan

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☒ Publication Fee (No small entity discount permitted)
- ☒ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from that indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date, November 22, 2004

Typed or printed name Curtis B. Hamre

Registration No. 29,165

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Inventor: Yamaguchi et al.
 Docket No.: 13438.0006USWO
 Title: FILTER CARTRIDGE
 Serial No.: 09/937,129

COPY OF CHECK

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MERCHANT & GOULD
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 An Intellectual Property Law Firm
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 Minneapolis, MN 55402-2215

M&I - MN

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Merchant & Gould P.C.

Director of the United States Patent and Trademark Office

Alan W. Kowalsky

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Inventor: Yamaguchi et al.
 Docket No.: 13438.0006USWO
 Title: FILTER CARTRIDGE
 Serial No.: 09/937,129

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Total 1,370.00

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Professional Coin Corporation
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Minneapolis, MN 55422-2215
Telephone: (612) 332-5400
Fax: (612) 332-5401

Check # 434130
Date 11/22/04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 09/937,129 Group Art Unit: 1724
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Confirmation No.: 6292 Notice of Allow. Date: October 28, 2004
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By: 

Name: David Ortiz

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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PATENT TRADEMARK OFFICE

Sir:

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- ☒ Copy of Issue Fee Transmittal Part B (PTOL - 85) mailed November 22, 2004
- ☒ Other: Communication Regarding Petition for Withdrawal of Notice of Abandonment, Return Postcard mailed November 22, 2004, Copy of Transmittal Sheet mailed November 22, 2004, Statement Regarding Timely Mailing
- ☒ Return postcard

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By: 

Name: Brian H. Batzli
Reg. No.: 32,960
BHB/cjc